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REJECTION OVER A PENDING SECOND APPLICATION		SPINE 3.0-455 CONT IV
In re Application of:	Rafail Zubok, Antonio Valdevit, Michael W. Dudasik,	and Joseph P. Errico
Application No.: 10/	776,651	
Filed: February 1	1, 2004	
For: CERVICAL DIS	SC REPLACEMENT	
The owner*,	SpineCore, Inc.	, of100
statutory term of any pathe full statutory term do to the grant of any pa 10/776,471 filed Februand 10/776,434 filed Fhereby agrees that any period that it and any pany patent granted on the line making the about 156 and 173 of any pathe patent grant, in the unenforceable, is found disclaimed under 37 C.	instant application hereby disclaims, except as provided to atent granted on the instant application, which would extend affined in 35 U.S.C. 154 to 156 and 173 as shortened by an atent granted on pending second Application Numbers 10/1017 11, 2004; 10/776,650 filed February 11, 2004; 10/776 ebruary 11, 2004 of any patent granted on the pending sepatent so granted on the instant application shall be enforced atent granted on the second application are commonly own the instant application and is binding upon the grantee, its succeed to the expiration date of the full statutory term are the granted on the expiration date of the full statutory term are that any such granted patent: expires for failure to a linvalid by a court of competent jurisdiction, is statutority differ 1.321, has all claims canceled by a reexamination certification of its full statutory term as shortened by any the expiration of its full statutory term as shortened by any the expiration of its full statutory term as shortened by any the expiration of its full statutory term as shortened by any the expiration of its full statutory term as shortened by any the expiration of its full statutory term as shortened by any the expiration of its full statutory term as shortened by any the expiration of its full statutory term as shortened by any the expiration of its full statutory term as shortened by any the expiration of its full statutory term as shortened by any the expiration of its full statutory term as shortened by any the expiration of its full statutory term as shortened by any the expiration of its full statutory term as shortened by any the expiration of its full statutory term as shortened by any the expiration of its full statutory term as shortened by any the expiration of its full statutory term as shortened by any the expiration of its full statutory term as shortened by any the expiration of its full statutory term as shortened by any the expiration of its full statutory term as shortened by any the expiration of its full statutory	I beyond the expiration date or ny terminal disclaimer filed prior 382,702 filed March 6, 2003, 5,656 filed February 11, 2004, cond applications. The owner teable only for and during such ned. This agreement runs with coessors or assigns. It of any patent granted on the as defined in 35 U.S.C. 154 to terminal disclaimer filed prior to pay a maintenance fee, is held sclaimed in whole or terminally ficate, is relssued, or Is in any
Check either box 1 or 2 be	low, if appropriate.	
	is on behalf of an organization (e.g., corporation, partnership, universigned is empowered to act on behalf of the organization.	sity, government agency,
made on information at knowledge that willful f under Section 1001 of	that all statements made herein of my own knowledge are nd belief are believed to be true; and further that these stat alse statements and the like so made are punishable by fir Title 18 of the United States Code and that such willful false ation or any patent issued thereon.	ements were made with the ne or imprisonment, or both,
2. X The undersigned	ed is an attorney or agent of record.	
	Signature	August 19, 2005 Date
	Kevin M. Kocun, Pa	itent Agent
	Typed or printed name	
	nt No. 12-1095 3.73(b) is required if terminal disclaimer is signed by the assignee (coused for making this statement. See MPEP § 324.	owner).
	rrespondence is being deposited with the U.S. Postal Service with sufficient Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450	
Dated: August 19, 2005	Signature:	(Kevin M. Kocun, Patent Agent)